THE PORT FOLIO.

ENLARGED.

BY OLIVER OLDSCHOOL, ESQ.

.....“VARIOUS, THAT THE MIND
OF DESULTORY MAN, STUDIOUS OF CHANGE,
AND PLEAS'D WITH NOVELTY, MAY BE INDULGED.”
COWPER.

VOL. III.] [No. 35.

PHILADELPHIA, SATURDAY, AUGUST 27, 1803.

FOR THE PORT FOLIO.

THE LAY PREACHER.

“ The fashion of this world passeth away,”

MORE quickly, in the Preacher's opinion, and in the millener's practice, than the remembrance of a guest, that tarrieth but an hour.

Those slaves to the mode, who, from leisure and fortune, are most capable of resorting to ‘Vanity Fair,’ to learn and ape the fashions of this world, have a harder task, than the porter in town, or the haymaker in the country. A new coat every month, and a vest, of a different pattern, every hour, are hardly sufficient, in the opinion of a jury of beaux, to excuse a man from presentment for high treason against the law of taste.

Customs, the lawyers affirm, to have validity, must be equally old and certain. Customs, which I copy, says the coxcomb, must be as changeable as the silk gown, or the temper, of a mistress.

St. Paul, who, I believe, never visited Paris, appears rather hostile to fashion's freaks, although, in many respects, he was of a very complying charac..r. In one of his epistles, he makes particular mention of the ladies, and their dress, but is so uncouth and austere, as to allow them only three suits, which he calls by the barbarous names of shamefacedness, sobriety, and good works. These uncourtly terms, I lately asked a woman of fashion to define. With the volubility of her sex, she first railed at poor Paul, for presuming to dictate in dress, and then told me that they meant linsey woolsey and grogram, flimsy manufactures, fit for none but Jewish chambermaids to wear.

If one of the patriarchs could get up out of his grave, and survey the *chins* of his descendants, he would not fail to conclude, that the race of *man* was annihilated by another deluge, and that the daughters of Eve had the *exclusive* right to the globe. The fashion of this world regulates our persons no less than our garb. Fashion cherishes a length of hair at one time, and snips it at another. An antideluvian, in his tent, would encourage his beard to sweep his breast. A modern coxcomb, at his toilet, will pay a barber to keep the beard shaven. In the days of Cromwell and puritanism, fashion settled the length of countenance, as well as the *width* of conscience. None but long visaged penitents could be numbered among the elect. In the merry days of Charles the second, and the profligate, behold the opposite extreme; the features of levity contracted by laughter, and all faces as *short* as the Spectator's. We read, in ancient British history, that king Richard and his courtiers chained their shoes to their knees; whoever marks a modern fine gentleman, tripping along the street, will discern that his shoe chain is attached to the instep, and has dwindled from ponderous silver or gold, to the levity of a shred of black ribband. The history of *whiskers* has been so copiously detailed by my brother parson, Sterne, that I am almost excused from another paragraph. But whiskers have had their fashions, and suddenly have they passed away. The gallants in Shakspeare's days, used to consider them as ornaments of the cheek, and ‘by my mustachios,’ has been the courtly oath of a Spanish gentleman. Whiskers were then unaccountably worn, not as the pink of taste, but as the insignia of valour, and degraded by German corporals and hussars, into scarecrows to terrify the enemy. This is not the last of whisker revolutions—Within a few years, a smirking race, called, in fashion's vocabulary, ‘*Tippies*,’ re-assumed whiskers, and their pallid cheeks, thus accoutred, exhibited a surprising compound of ghastliness and effeminacy. But the scythe of the mode, at length, has nearly swept these superfluous hairs away from the face, and what will next grow there, must be left to some future scoffer against custom to record.

When I began this sermon upon the vicissitudes and vanity of fashion, I marked down sketches of the alterations in *female* dress, as a distinct topic, on which I should enlarge, as became a preacher. But this was too vast an undertaking for a writer, so concise as myself. Besides the limits of my discourses are too narrow for such an immeasurable theme. Far from being compressed into a single column, the *things which should be written*, concerning the shop and box of the millener, would overflow a volume more ample than Ridgley's body of divinity, or the everlasting paraphrase of Gill. For the *time would fail me*, and it absolutely fatigued the long winded Isaiah, to tell of the *changeable suits* of a woman, of the ‘hoods,’ the ‘veils,’ the ‘mantles,’ and ‘wimples,’ the ‘bonnets,’ the ‘head bands,’ and the ‘round tires,’ which, the prophet adds, with a degree of wit you would not expect from his character, were ‘like the moon,’ incessantly varying like that planet. The ladies are the legislators of fashion, and their laws are so numerous, and so often *repealed*, it is presumption to attempt a *digest*. But, instead of exercising their ingenuity upon caps and gowns, the mode of which passeth away, would they study more durable graces, and make the *white* robe of neatness, candour, and modesty, *fashionable*, they may be assured it is of such admirable texture, that, like certain old brocades, it will not only look, but wear well, and be ‘in season all the year.’

POLITICS.

FOR THE PORT FOLIO.

GENUINE MEMOIR OF TALLEYRAND.

[Continued.]

It is thus that inclination, or rather habit, perpetually draws the Americans to the English, and interest does it more effectually; for incontestibly the great point, in a new country, is to increase one's fortune. The proof of a general disposition, to this effect, manifests itself every where; we find it in the treatment which they offer to others. The religious usages themselves strongly savour of it. In this respect, the following is what I have seen; its connexion with my subject cannot fail to be discovered.

We know that in England religion has maintained a powerful empire over the mind; that even the most independant philosophy has not there dared to divest itself entirely of religious notions;* and that, since the time of Luther, all sects have gone thither, all have been maintained there, and many have there received their birth. We know what effect they have had in the great political changes; that they have finally transplanted themselves to America, and that some of her states owe to them their origin.

One would at first believe that, after their emigration, these sects remained as they were, and that they agitate America in like manner as they did England. What is the surprise of the traveller, when he sees them existing together in a calm so perfect as apparently to defy change; when, under the same roof, he sees father, mother, and children, following peaceably, and without opposition, each one the religion that is preferred. I have more than once been a witness of this spectacle, for which nothing I had seen in Europe had prepared me. Upon those days, which are consecrated to religion, the individuals of one family leave their dwelling together, go to their different clergymen, and return to the occupation of the same domestic interests. This difference of opinion produces no change of feeling or of habit in other respects; and even upon this point there are no disputes, no questions. Religion seems there to be a secret principle which no one thinks himself at liberty to penetrate or to challenge; so that when an ambitious sectary arrives in America from Europe, eager to elevate his doctrines by firing the public mind, instead of finding men disposed, as in other countries, to engage under his banner, he is scarcely seen by his neighbours; his enthusiasm neither attracts nor animates; he inspires neither opposition nor curiosity; every one rests satisfied with his own religion, and minds his business.†

Such steadiness, which the most passionate proselytism cannot shake, and which it is not here our business to censure, but to explain, has unquestionably for its immediate cause the liberty, and especially the equality of worship. In America, nothing is proscribed, nothing is commanded; of course there are no religious convulsions. But this perfect equality itself has a principle; which is that although religion may be every where with them a just feeling, it is surely the feeling of habit; all their ardour is

* It will be recollected that this essay is by Talleyrand Perigord, late bishop of Autun, who must have been a hypocrite then, or is so now; if he is so now, he has not forgotten what must happen to such as deny God; and if he was so then, he preached his own damnation every Sunday. TRANSLATOR.

† In a time of strong political factions this would not be exact; for then each sect would necessarily become the assistant of such or such party, as we have already seen. But these factions once quieted, religion must become, in America, what it already has been; from which I argue that there is no such thing as fanaticism for its own sake; and *that* is a consequence of some magnitude. Note of Talleyrand in the month of February, 1799.

expended in the increase of property; and this, in result, is the great cause of that perfect indifference of the Americans for every thing which is not either means or obstacle to this end.

Let us remark, moreover, that the Americans, who inhabit cities, having been but a little while since colonists, and accustomed to look upon themselves there as strangers, have naturally given their activity to commercial speculations, and have made these paramount even to the labours of agriculture, by which, after all, they must be fed. Now, this preference which supposes, in the first instance, an ardent thirst of riches serves of itself to increase this thirst; for commerce, which extends the relations of man to man, necessarily multiplies his wants; and agriculture, which circumscribes him by his family, as necessarily limits them.

America, whose population is more than four millions of inhabitants, rapidly augmenting, is in the infancy of manufactures; a few forges, a few glass works, some tan-yards, and a small number of very imperfect manufactories of cloth, coarse knitting, and in some places of cotton, serve better to attest the impotence of the efforts hitherto made, than to furnish the country with its daily consumption of manufactured articles. It follows that she wants from Europe not only a great portion of her internal supply, but also much of that which she uses in her external commerce. Now all these objects are so completely furnished to America by England that we may well doubt whether under her severest prohibitions Great Britain enjoyed this privilege more exclusively with her then colonies, than she does now with the independent United States.

The causes of this voluntary monopoly are easily assigned. The immensity of articles which are poured from the English manufactures, the division of labour, at once the cause and consequence of this immensity, and particularly the ingenious use of the mechanical powers, adapted to the various operations of manufacturing, enable the English manufacturers to undersel all the nations of the world in articles of daily use. Besides, the great capital of the English merchant can afford longer credits than that of the merchant of any other country; these credits are at least for a year, and sometimes more. The American merchant, who derives his merchandise from England, therefore employs scarcely any capital of his own in this commerce, but rests on the capital of his correspondent.

Without doubt the English merchant, in one way or other, must charge the interest of the funds, whose use he thus grants; but as the demands succeed each other, and increase yearly, there is established a counterpoise of regular payments and new credits, leaving only one debt due, the interest of which is to be divided, among the invoices which follow, and those which create the debt. The first debt establishes, as we see, a connection difficult to be broken by the English or the American trader. The one fears if he stops his advances, that, thereby, he shall prostrate a debtor, whose prosperity is the only guaranty of his debt; the American fears, on his side, to leave one who has long furnished him, and with whom he has too many old accounts to settle. Between these reciprocal interests, cemented by long habit, it is almost impossible for a third nation to intervene. It is thus that France, in her commerce with America, can furnish but a few articles peculiar to her soil; but she enters into no competition with England, in the sales of manufactures, for she can afford them neither at so low a price, nor on so long a credit.

If it is objected that during our revolution numerous shipments of French merchandises have been made to America, the answer is most easy. Such adventures have nothing in them like a regular commerce; they are the precipitate speculations of men, who, under the dread of requisitions, of a *maximum*, and of all revolutionary disasters, have preferred some loss upon their goods sold in America, to the risk, or rather the certainty of a greater loss on them in France; it is the tumultuous eagerness of men to remove every thing from a fire, and for whom any shelter is good, rather than the judicious conduct of merchants, who have made a calculation, and realise it.

The American merchant is thus tied to England, not only by the nature of his transactions, by his want of that credit which he obtains, and by the weight of that credit which he has obtained, but still more by that law, which the taste of the consumer irresistibly imposes on him. These ties are so real, and there result from them commercial relations, so durable, between the two countries, that America has no true exchange but with England, so that almost all the bills of exchange, which the Americans draw upon the continent, are payable in London.

(To be Continued.)

FOR THE PORT FOLIO.

AN AUTHOR'S EVENINGS.

FROM THE SHOP OF MESSRS. COLON AND SPONDEE.

The sceptics have always contended that though perhaps some of their infidel tribe have not wielded the bolts of argument, with the strength of those polemics, who have been regularly trained in the schools of disputation, yet they have excelled in the adroit management of the weapons of wit. Give us, say they, our Gibbon and Voltaire, and we will allow you your Chillingworth and Clark. I know not that the deists have any advantage over the Christians in the skirmish of levity, or in the *sharp encounter of the wits*, any more than in the furious onset of argument. To all the merriment, as well as to all the logic of Hobbes, I will confidently oppose the jests and banter of Dr. Eachard, and will appeal to the impartial lover of wit to decide between the divine and the philosopher. Eachard's 'dialogues between Philautus and Timothy,' is one of the merriest tracts in our language. The learned professor Porson is not less prodigal of his shining wit, than of his copious erudition. Dr. Beattie ridicules the *doubting* tribe of Hume with great pleasantry. Dean Swift, in his argument against abolishing Christianity, surpasses, in the dexterous display of irony, all the boasted powers of the ironical Gibbon, and I am happy in the following passage to add the opinion of the classical Dr. Knox.

To be remarkable for that lively and creative power of mind, which invents such ideas as are both pleasing and surprising, by their truth and novelty, is a distinction greatly to be valued. It is to possess a power of diffusing a charm on every subject, and of striking conviction in the mind with an instantaneous impulse. There is no doubt but that the giver of every good gift intended that it should be productive of beneficial effects. It is certainly conducive to cheerfulness, and enlivens the dull identity of common life. It ridicules folly; and, by ridiculing, frequently corrects it. It often decides with momentary intuition on subjects of which plodding industry has laboured only to augment the obscurity. None, I believe, will indulge a general invective against wit, but those who are destitute of it.

Wit has sometimes been used as an auxiliary to reason in the defence of religion. Dr. South possessed a share of abilities which were sufficient to brandish any weapon which he chose to employ. Wit in his hand was sharp and irresistible, and made its way like the scymiter or the battle axe. He was one of the ablest champions of the church. He is not only a wit, but a solid reasoner. His learning is equal to his natural endowment. Wit enlivens the mass of his erudition, as the leaven leaveneth a farinaceous substance. Dr. South exerted his wit to so good purposes, and with so much effect, that he is most deservedly placed in a high rank among the many excellent preachers who have adorned this country. Yet a sincere admirer of him cannot but wish that he had not deformed his writings with some expressions which, though not destitute of humour, must be condemned as vulgar and indecorous.

Dr. Horne, the present dean of Canterbury, who has discovered a genuine spirit of piety in his writings, and displayed the beauty of holiness in all its charms, has attacked the philosophy of Hume with the arms of ridicule. Indeed, many parts of Hume's philosophy appear to carry with them their own refutation by inherent absurdity; but they fall into the hands of those, whose want of learning and of principles induces them to admit the arguments of sophistry in defence of libertinism. Dr. Horne justly supposed that the admirers of Hume were more likely to be disabused of their error by the fear of derision, than by any force of argumentation. He has, indeed, derided both Hume, and the Humists, as they affect to stile themselves, with singular success. I only wish that the part of his book, in which they are attacked, could be universally introduced to their notice. It would operate as an antidote to the poison of the sceptic, unless, indeed, its genuine effect should be prevented by the force of established prejudice.

The latter part of Dr. Horne's 'Letters on Infidelity,' I should not have regretted, if it had been entirely omitted. It owes its origin to an obscure pamphlet, which would never have emerged to notice by its own strength: and the difficulties of many passages in Scripture will never be removed, to the satisfaction of cavilling sceptics, by the most ingenious answers.

It must be owned, that great caution is required in the use of wit and humour as auxiliary to the cause of religion. They induce a levity of mind, which is too apt to degenerate to a wanton disregard of every thing serious. Religion, like a chaste matron, should appear in a dress which excites sentiments of respect, and forbids familiarity. When she is introduced to mankind in a grotesque or gay attire, she ought to be under the direction of a guide, who can teach her to preserve an air of dignity in the midst of her condescension: I mean to suggest that wit and humour should never be used, in religious subjects, but by writers whose judgment, like that of Dr. Horne, is superior to their comic abilities; and whose comic abilities, like Yorick's, would set the table in a roar.

Wit and humour have, indeed, been much more frequently employed as the enemies than as the auxiliaries of Christianity. The natural man, as he is stiled in the Holy Scriptures, that is, the man who is unregenerated by grace, and he also who is but little read in theological learning, will find a multitude of particulars in Scripture which, with but a small share of ingenuity, they may perversely turn to ridicule. To be facetious on sacred subjects requires more malignity than wit.

That Voltaire had wit, none can deny but those who are destitute of it. In subjects of polite literature his wit is always delightful, though his judgment is said to be not always sound; but on subjects which concern things sacred, both his wit and his judgment deserve reprobation.

Here his wit is always misapplied, as well as often false.

But, allowing, for the sake of argument, that the wit of Voltaire, in sacred subjects, is pure and excellent, yet every man of sense and seriousness will arm himself with caution before he ventures to give it his attention. A man has so much to gain or lose by his religion, that he will not rashly incur the danger of losing all belief in it. He recollects that the sparks of wit are often like the fire of a nocturnal vapour, which shines only to seduce, or like some stones, fabricated by art, in imitation of nature, at once brilliant and false.

Reason only, or the powerful impulses of conscience, can influence a man of sense in affairs of Religion. Convince me, if you can, he will say, that my religion is ill founded, and I will relinquish it. But to convince is not in the power of wit alone. Its province is to amuse the fancy, and not to persuade the faculty of reason.

It may be rather difficult to avoid delusion when it appears under so pleasing a form as that of wit; but, as religion is confessedly of infinite consequence to our happiness, let us always prove the solidity of the wit by the touchstone of good sense. An impartial application of that test will, I am convinced, become always favourable in the result to the cause of Christianity. If we are led by curiosity to read the works of celebrated wits, who have taken the part of Infidelity, let us always discriminate between wit and argument, so as to be amused only by the wit and remain unshaken in our faith, till the fortress of it is battered by the main force of superior and commanding reason. Christianity has stood like a rock of ages amidst the waves of the sea, for many centuries, against every attack whether of wit or of argument, and, under the divine providence, there is every reason to believe that it shall stand till time itself shall be absorbed in eternity.

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Cowper, after some indignant lines, reprehensive of the irreligion and profligacy of the times, thus excepts his sovereign, whose exemplary strictness in the exercise of religious duties is a theme of praise among a people where Christianity is a part of the *law*:

We boast some RICH ONES, whom the Gospel sways,
And one, who wears a coronet, and prays.

—

Dr. Aikin tells us, that when Erasmus, not very consistently, undertook to satirize the reformers, and to attack Luther, the latter replied to his time-serving adversary in a letter, written with that air of superiority, which a man, pursuing great ends, by plain and direct means, has a right to assume over a trimmer.

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Life has, in allegory, been often represented by philosophers and poets under the similitude of a voyage. The original Green has managed this figure with great dexterity.

Thus sure I steer my bark, and sail
On even keel, with gentle gale,
At helm I make my reason sit,
My crew of passions all submit;
If dark and blustering prove some nights,
Philosophy puts forth her lights,
Experience holds the cautious glass
To shun the breakers as I pass,
And frequent throws the wary lead,
To see what dangers may be hid.

—

That is a fine passage, in the letters ascribed to Lord Lyttleton, where that profligate, but brilliant nobleman, declares to a confidential friend, that "It is a great misfortune, that vice, be it what it may, will find some one or other to flatter it; and that there should be assemblies of people, where, when public and honourable society have hissed you from the stage, you may find not only reception, but applause—little earthly *pandemoniums*, where you meet with every means to hush the pains of reflection, and guard against the intrusions of conscience."

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Of all the opinions which have obtained a general currency, without being either founded in truth, or sanctioned by experience, there are none, perhaps, which have been so widely circulated as those, by which we are taught to believe that the study of Law is adverse to the operations of Genius, and that a lively imagination cannot be fettered to professional pursuits; that to be learned, a man must be dull, and that wit cannot be possessed, but to the exclusion of industry. See Sir W. Jones.

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Cowley's prose works should by no means be neglected by the lover of Addisonian ease, and suavity of style. He is, says Dr. Aikin, a natural, easy, placid, and equable writer. He is full of thought, but without stiffness or affectation. His essays read very pleasantly, and the intermixture of verse, makes an agreeable variegation.

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In almost every line of Shenstone's poetry, you may discover the disappointments of his life, or the indolence of his humour. He was not so ill fated as his restless spleen suggests, but, in consequence of his inordinate passion for rural improvement, he unfortunately embroiled his affairs, and became careless of his growing debts, in proportion as he was careful of his growing dryads.

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The ensuing couplet may urge some *integros accedere fontes*, and quaff at the classical fountain.

For still the nearer to the spring we go,
More limpid, more unsoil'd the waters flow.

CLASSICAL LITERATURE.

FOR THE PORT FOLIO.

[MR. OLDSCHOOL,

I have made some extracts from the first book of the Punicks of Silius Italicus, lately noticed in the Port Folio. Should you be pleased with this specimen of the work, and be of opinion that it merits a place in the Port Folio, it is at your service, as well as such other extracts as I may be enabled to send you.]

The first book of the Punicks of Siljus Italicus contains an account of the breach of the league between Rome and Carthage with a narrative of events which occurred previous to the siege of Sagunthum. Juno, jealous of Roman greatness, animates Hannibal against the Romans. The translator of this poem presents to our view a portrait of the Carthaginian hero in the following lines—

A covert cunning in a restless heart,
Of faith sinister was his master art;
An impious valour in his bosom glow'd,
A thirst of lawless pow'r, and human blood;
Peace, first of blessings, his bold thoughts despise;
Arm'd he braves heaven, and all its gods defies.
Hot with his youth, he burns to wipe away
His country's shame, Agates' dreadful day,
And in Sicilian billows happier drown
Rome's hateful league, or make that league their own.
So kindles in his breast the martial flame,
So moves the pow'r, and drives him on to fame,

In dreams the warrior mounts the Alpine steeps,
Bounds o'er the summits, down the vallies sweeps,
Bursts in Jove's temple, flings the flaming brands,
Dethrones the thunderer, and his dome commands.
Oft, sleep retiring at the dawn of light,
Through the deep silence of the solemn night,
In shouts he sends his dreadful voice around,
His rous'd attendants startle at the sound;
In heat oft find him fighting o'er with air
His future battles in a mimic war.

This hate of Rome in rage of wrath express'd,
His father's fury kindled in his breast;
From Barca sprung a Sarran stock of old,
Great Belus author of his race he told;
For when Phœnician Dido left her Tyre,
The young Belides fled Pygmalion's ire,
Sad partner of her flight to Lybia's shore;
Shar'd every grief, and every danger bore.

Thus in his grandsire's glory and his own,
Great, like himself, Hamilcar forms his son;
Soon as his lips distinguish'd accents know,
His little tongue was taught to lisp the foe;
His infant bosom felt an early flame,
And his heart flutter'd at the Roman name.

Hamilcar excites in his son, then but nine years old, a spirit of resentment against the Romans. In the temple, sacred to Dido, the father addresses his son, who, at the altar, swears eternal enmity to Rome. These interesting incidents are given in the following lines—

Twice conquer'd Phyrgians dare, Oh dire disgrace,
Impose their leagues on Cadmus' royal race,
Should fate the fervour of my soul withstand,
To wage the war, and free my native land,
Wish thou, my son, the praise, the glory thine,
To pour destruction on Laurentum's line;
Let trembling Tuscans now thy rise descry,
Like some red comet kindling in the sky;
Like death, thy dreadful progress let them fear,
And every Latium womb refuse to bear.
Thus vain declaiming, with an oath profound,
The child repeating from his lips he bound.

When manhood, meeting my prime youth, shall bring
A strength of vigour on his eagle wing,
With sword and fire the Romans I'll pursue
Thro' land and sea; and Ilion's doom renew.
By Mars omnipotent, our guardian care,
By thy dread manes, mighty Queen, I swear,
Not all their Alps, with tow'ring rock immur'd,
Not all their capitol of Gods abjur'd,
Not all the leagues that all those Gods can bind,
Shall ever daunt this heart, or change this mind.

So said, a victim of a sable hue,
To thee, great Hecate, triform pow'r, they slew,
The holy wizard, with a ritual haste,
Divides the carcass of the trembling beast,
And, ere from life the unfetter'd spirit flies,
Reads the quick entrails, and prophetic cries.
"Ætolian fields, with slaughter cover'd o'er,
And lakes, I see, that steam with Roman gore;
What mounds of mountains to the stars extend!
High on their peaky tops, thy tents depend;
And now like gushing streams, the troops amain
Pour down the rocks and swarm upon the plain;
Hesperia's towns in smoking ruins lie,
And Po's wide waters run a purple dye.
Stretch'd on dead heaps dishonour'd dust defiles,
The third, that bore to Jove his royal spoils:
Gods! what a tempest down the sky descends!
The bursting clouds how quick the lightning rends!
What mean the pow'rs, I hear the dire alarms
Of wrath divine, and see great Jove in arms."

So far their doom they knew; the rest to come
Juno withheld; the fibres strait were dumb;
Their better part of life she let them view,
And o'er their train of ills a veil of darkness drew.

Hamilcar was slain in an engagement with the Vettones, a people of Lusitania, the present Portugal; he was succeeded in the government by his son-in-law, Hasdrubal, whose character is thus drawn by the poet—

Next Hasdrubal the reigns of empire held,
He, who the wealthy western nations quell'd,
Who made the wild Iberi feel his sway,
And taught the roving Bœti where to stray;
But of a gloomy, fierce, resentful mind,
Enrag'd, unsated—Not enrag'd, unkind:
The love of slaughter was his savage joy,
His use of power unbounded to destroy;
He deem'd is great and godlike to be fear'd,
And when he punish'd kill'd by deaths unheard.

Hasdrubal was assassinated by a slave of Tagus, a Spanish prince, whom he had crucified. The poet gives the following account of

the popular rage on the death of the Carthagenian general—

With hearts in anguish, fury, rage, and fire,
The savage Punicks saw their chief expire;
And, prompt to slaughters, a relentless band
Rush to swift vengeance at his murderer's hand.
Hard knotted whips his bleeding body tore:
O'er flames they broil him, and with lead they pour
Quick through his frame, the fiery liquid found
An easy way, and hiss'd in every wound:
The wretch, whose horrid business was to kill,
A cunning artist acted all his skill;
Forth on the rack his limbs still stretching grew
A length enormous, as the pullies drew,
Till, of their blood the bursting vessels clear'd,
Thro' all his melted flesh the smoking bones appear'd,
Yet he the while, superior and serene,
As if the sufferer had not felt, but seen,
Mocks the faint efforts of their torturing art,
And claims his master's cross, to act his master's part.

Hannibal is declared the successor of Hasdrubal, and chosen general by the army, which election is confirmed by the senate. The poet describes Africa and Spain, and in this description we have the alternate scenes of burning sands and fruitful fields, with an amusing view of the wild Numidians, taming their unbridled steeds in their deserts; the Spanish chariot races; the natural products of Spain; their mines, wrought with indefatigable labour; cornfields, vineyards, oliveyards, spreading over the face of the country; these calm and peaceful prospects agreeably contrast and relieve those more rough which next precede and follow. After these descriptions, we are presented with the military character of Hannibal; which fixes the attention of the reader on the principal conductor of those great actions he is shortly to see him engaged in; and to which his imagination has been already raised by the oracle, and by Juno's opening speech. This character strongly marks that steady, fierce, and daring temper, which rendered Hannibal at once the darling of his soldiers, and equal to the severest, boldest toils and hazards, to which war was likely to expose him.

On foot he foremost trod the hostile soil;
No danger dreaded, and refus'd no toil;
First at the works would make the rampart grow,
Stake it above, and delve it deep below;
To nothing recreant, that could raise a flame
In warrior's breasts, and kindle them to fame.
Arm'd, 'twas his wont to watch the frosty night,
Or sleep in trenches till the dawning light,
With every soldier every duty share,
Dress, as they dress'd; and victual with their fare;
March, as they march'd; and lead his mighty bands,
Tow'ring in front; and act his own commands.
Dauntless he dash'd his helmet on the plain,
And met, uncover'd, the descending rain;
When Jove has thunder'd thro' his skies profound,
Shot down his hail, and flung his terrors round,
Furious he forc'd, while armies trembling gaz'd,
His starting courser, where the lightning blaz'd.
When Sirius, scorching in autumnal skies,
Chaps the parch'd earth, and every channel dries;
Resolv'd he faces his full glare of day,
In dust and sweat all o'er pursues his way,
And deems it womanish in shades to shun
The fiercest fervours of his noontide sun.
He practis'd thirst, to weary out desire,
And ey'd the running stream, but ey'd it to retire;
He threw the pawing war horse to the ground,
And hugg'd the glory of a deathful wound;
'Twas sport, 'twas wantonness of joy to swim
The rapid current of an untry'd stream;
To hail his soldiers from the farther shore,
While loud, 'twixt sounding rocks, the deafening waters roar,
First would he mount th' untaken ramparts height,
And, when, upon the plain, he rul'd the fight,
Where'er he dealt his blows, whole troops he mow'd
And dy'd the slippery field with streams of blood.

This book proceeds with an account of the siege of Saguntum, and concludes with a history of an embassy of Sagunthians to Rome, with whom they are in alliance, and who send legates first to Hannibal, and then to Carthage, to complain of the insult.

BIOGRAPHY.

LIFE OF THOMAS GRAY, LL. B.

[Concluded.]

In 1762, when the professorship of Modern Languages and History at Cambridge, became vacant by the death of Mr. Turner, he was, as he says, "cockered and spirited up," till he asked it of Lord Bute, who sent him a civil refusal, and the place was given to Mr. Laurence Brocket, the tutor of Sir James Lowther.

His constitution was weak, and believing that his health was promoted by exercise and change of place, he undertook, in 1765, a journey to Scotland. But he had other motives in travelling, namely, the gratification of his curiority and taste. Possessed of ample comprehension, his researches extended to all the works of art, all the appearances of nature, and all the monuments of past events. During his stay in that country he contracted a friendship with Dr. Beattie, whom he found "a poet, a philosopher, and a good man," through whose intervention the Marischal College at Aberdeen offered him the degree of Doctor of Laws, which Gray having omitted to take at Cambridge, he now civilly declined.

In December 1767, Dr Beattie, still desirous that his country should afford some testimony of its regard to the merit of our poet, solicited his permission, to Mr. Foulis, to print at the University press of Glasgow, an elegant edition of his works. Dodsley had before solicited the same favour, and Gray, unwilling to refuse, gratified both with a copy containing a few notes, and the imitations of the Norse poetry.

The death of Mr. Brocket in July 1768, left another opening to the professorship, which he had before unsuccessfully sought. Lord Bute however was not then in office, and the Duke of Grafton, to preclude a request, within two days of the vacancy appointed Mr. Gray.

The place was valuable in itself, the salary being 400l. a year; but what rendered it particularly acceptable to Gray was its being given to him without any solicitation.

On the Duke of Grafton being elected Chancellor of the University, in 1769, gratitude prompted Gray, unasked, to furnish an irregular *Ode for Music*, to be performed at his installation.

Not long after the bustle of the installation was over, ill health made another journey necessary, and he visited the lakes of Westmorland and Cumberland. The impressions he received from the wonderful scenery that surrounded him, he transmitted to his friend, Dr. Warton, in epistolary journals, which possess all the wildness of Salvator, and the softness of Claude.

In May 1771, writing to the same friend, he complains of a violent cough, which had troubled him for three months, and which he called incurable; adding, that till this year he never knew what (mechanical) low spirits were. The anxiety he felt from holding, as a sinecure, an office, the duties of which he thought himself bound to perform, without doubt, contributed to the latter complaint. The object of his professorship being two-fold, and the patent allowing him to effect one of its designs by deputy, it is understood, that he liberally rewarded, for that purpose, the teachers in the University of Italian and French. The other part he himself prepared to execute; but tho' the professorship was instituted in 1724, none of its predecessors had furnished a plan of lectures. Embarrased by this and other difficulties, and retarded by ill health, the undertaking at length became so irksome, that he seriously proposed to relinquish the office.

Towards the close of May he removed from Cambridge to London, after having suffered from flying attacks of an hereditary gout to which he had long been subject, and from which a life of singular temperance could not protect him. In London his indisposition having increased, Dr. Gisborne advised him to remove from his lodgings in Jermyn-street to Kensington. This change was of so much benefit, that he was soon enabled to return to Cambridge, from whence he meditated a journey to Old-Park, near Durham, the residence of his friend Dr. Warton, which he hoped might re-establish his health; but his intentions and hopes were delusive. On the 24th of July, while at dinner in the College-hall, he felt a sudden nausea, which obliged him to rise from table, and retire to his chamber. The gout had fixed on his stomach, and resisted all the powers of medicine. On the 29th he was seized by a strong convulsion, which the next day, returned with increased violence, and the following evening he expired, in the 55th year of his age. He was on the first attack aware of his extreme danger, was sensible at times, even to the last, yet expressed no concern on account of his approaching dissolution. He was buried in the vault, in which his aunt and his mother were deposited, in the church-yard at Stoke, agreeably to his own direction.

By his will, dated July 2, 1770, he appointed Mr. Mason, and the Rev. Dr. Browne, President of Pembroke-hall, his joint executors: and left Mr. Mason all his books, manuscripts, coins, printed or written music, and papers of all kinds, to preserve or destroy at his own discretion.

His *Poems and Letters* were collected and published by Mr. Mason, in a 4to vol. 1775, to which he prefixed, "Memoirs of his Life and Writings," with "imitationss, variations, and additional notes," and were republished in 4 vols. 8vo. 1778. The common editions of his *Poems* are too numerous to be specified. To the edition in 8vo. 1786, were added notes and parallel passages by Mr. Wakefield. The Latin language was enriched with an elegant and spirited translation of the *Bard*, in 1775; and an admirable Greek version of the *Elegy in a Country Churchyard* proceeded from the classical pen of Dr. Norbury, in 1793. The imitations it has produced are innumerable.

It appears from Mr. Mason's narrative, that the greatest part of Gray's life was spent in that kind of learned leisure, which has only self-improvement and self-gratification for its object.

He may be said to be one of those few personages, in the annals of literature, who were devoid of self-interest, and at the same time one of those few economists who possessed that talent untinctured with the slightest stain of avarice. When his circumstances were at the lowest, he gave away such sums in charity, as would have done credit to an ampler purse. But what chiefly deterred him from making a pecuniary object of his literary pursuits, was a certain degree of pride, which led him to despise the idea of being thought an author by profession. However, it is probable, that, early in life, he had an intention of publishing an edition of *Strabo*; for his papers contain a great number of notes and geographical disquisitions on that author. The indefatigable pains which he took with the writings of *Plato*, and the quantity of critical, as well as explanatory observations, which he has left on every part of his works, plainly indicate that no man in Europe was better prepared to republish and illustrate that philosophy than Gray. Another work, on which he bestowed uncommon labour, was the *Anthologia*. In an interleaved copy of that collection of Greek epigrams, he has transcribed several additional ones, which he selected in his extensive reading, and inserted a

great number of critical notes, emendations, and a copious index; but whether he intended this manuscript for the press, is uncertain. The only work which he meditated on with that view from the beginning, was a *History of English poetry*, on a plan sketched by Pope. But after some considerable preparations for the execution of this design he was informed that Mr. Warton was engaged in a similar work, the undertaking was therefore relinquished. In 1770. Mr. Warton desired to see the plan, and he readily sent him a "Sketch of the Arrangement of the Subject," which appeared in the "Gentleman's Magazine," for February 1783.

Gray made many poetical beginnings on subjects, from which, either by accident, or through want of industry, he was afterwards diverted. Among these was the scene of a tragedy, taken from Tacitus, on the death of Agrippina, which leaves us to regret, that he only *attempted* to write a tragedy.

Among other sciences Gray had acquired a great knowledge of Gothic architecture. The *Remarks on Saxon Churches* in the Introduction to Mr. Bentham's "History of Ely," were draw up by Gray. Of Heraldry, its correlative science, he possessed a complete knowledge, which the number of genealogical papers he left sufficiently evince. But his favourite study for the last ten years of his life, was natural history, which he rather resumed than began, being, through the assistance of his uncle Antrobus, a considerable botanist at fifteen. The marginal notes which he has left on Linnæus, his additions to Hudson and other writters on the vegetable, animal, and fossil kingdoms, are very numerous. While attentive to zoology, he successfully applied his discoveries to illustrate Aristotle and others of the ancients. Except pure mathematics, and the studies dependent on that science, there was scarcely any branch of human learning, in which he had not acquired a competent skill in most of them a consummate mastery.

Of his amusements, the chief and almost only one (excepting the frequent experiments he made on flowers, for the purpose of investigating the process of vegetation) was music. His instrument was the harpsichord; on which, tho' he had little execution, yet he adapted his voice so judiciously to his playing, as to give an auditor considerable pleasure. His judgment in statuary and painting was exquisite, and formed from an almost intuitive perception of those graces beyond the reach of art, in which the divine works of the great masters abound. He had a fine taste in prints, his choice of which was regulated by the same judicious rule which he adhered to in making his collection of music; which was not to obtain complete sets of the works of any master, as to select the best of their kind, and which might recall to his memory the capital pictures, statues, and buildings, which he had seen and studied.

Of Gray's religious opinions little is known; there are, however, traces which shew him a believer. He has answered Bolingbroke's scepticism, and he has censured both Voltaire and Hume. In private life he was most respected by those who best knew him; he was a man of politeness, virtue, and humanity.

It is unfortunate, that after a life so laboriously employed, Gray should have left so little behind; but it should be considered, that with respect to others, he was innocently employed; to himself, without doubt, beneficially. His time passed agreeably; he was every day making some new acquisition in science; his mind was enlarged, his heart softened, his virtue strengthened; the world and mankind were shown to him without a mask; and he was taught to consider every thing as trifling, and unworthy of the attention of a wise man, except the pursuit of knowledge and practice of virtue. Yet there is no character without some speck. In Gray, there was a reserve in his behaviour, too nearly resembling fastidiousness; and he was apt to indulge himself in such modish niceties of dress, as did not always correspond with the sobriety of an academic gown. After his return from his travels he commonly wore a muff. If he went to a coffee-house, he would tell the waiter, in an effeminate tone, to give him that "silly paper book," meaning the "Gentleman's Magazine," or "Review." Timorous, as effeminate and fearful of accidents, he had a ladder to let down from his window, in case of fire. Some young men of the college idly and wantonly set up a false alarm, in order to draw him upon his ladder; this, among other circumstances, was said to be the occasion of his removing to Pembroke-hall.

On his poetry, it is needless to bestow praises, or to repel the attacks of envy and rancour. "He who can continue," says Mr. Wakefield, "amidst the blaze of splendor that bursts around him, amidst the torrent of sublimity that pours along, sedately speculating on petty blemishes, is certainly a stranger to those sensations which animated Pindar and Gray; and deserves, for the punishment of his malice, that poetical curse denounced by the pathetic Collins, on all those who could reflect on the author of the "Seasons," without emotions of benevolence and concern:

> "With him, sweet bard! may fancy die
> And joy desert the blooming year!"

If Gray was not a poet of the first order, there is no poetry existing; and if his bold expressions be nonsense, so are the most rapturous passages of Sophocles, Klopstock, Shakespeare, and Milton. In sublimity, pathos, and enthusiasm, he is perhaps excelled by Dryden and Collins; but in richness of imagery, glow of expression, and harmony of numbers, he surpasses the two great masters of English lyric poetry.

Gray's poems are not numerous; but all of them, at least his serious pieces, have great merit; and whoever undertakes to write as correctly as he has written, will find himself unable to write much. His pieces have all the marks of close study and close revision, and the smallness of their number, compared with the length of time he was known as a poet, sufficiently shows, that they were kept long under his own eyes, before they were submitted to those of the public. They may, therefore, be regarded as a kind of standard of the correctness to which English poetry has arrived.

The *Elegy written in a Country Church-Yard*, is, perhaps, the first of the kind in any language; its subject is universally interesting, the allegorical imagery is sublime, and the natural description picturesque; the sentiment is mostly simple and pathetic, and the versification possesses a melody, which has not often been retained, and cannot be surpassed. This poem underwent some alterations from its original form. The rejected stanzas are however highly worth preservation, both as objects of curiosity, and of excellence. In the first copy the conclusion was different from that which is retained. The four stanzas below followed "With incense kindled at the muse's flame."

> The thoughtless world to majesty may bow,
> Exalt the brave, and idolize success;
> But more to innocence their safety owe
> Than power, or genius, e'er conspir'd to bless.
>
> And thou, who mindful of th' unhonour'd dead,
> Dost in these notes their artless tale relate,
> By night and lonely contemplation led
> To wander in the gloomy walks of fate:
>
> Hark! how the sacred calm, that breathes around
> Bids every fierce tumultuous passion cease,
> In still small accents whispering from the ground,
> A grateful earnest of eternal peace.
>
> No more with reason and thyself at strife,
> Give anxious cares and endless wishes room:
> But through the cool sequester'd vale of life
> Pursue the silent tenor of thy doom.

Here the poem was intended to conclude. After the stanza, ending, "To meet the sun upon the upland lawn," appeared, in the first copy.

> Him have we seen the greenwood side along,
> While o'er the heath, we hied, our labour done,
> Oft as the woodlark pip'd her farewel song,
> With wistful eyes pursue the retting sun.

Between the line, "Grav'd on the stone beneath yon aged thorn," and the epitaph, Gray originally inserted the following beautiful stanza.

> There scatter'd oft, the earliest of the year,
> By hands unseen are showers of violets found;
> The redbreast loves to build and warble there,
> And little footsteps lightly print the ground.

Mr. Edwards endeavoured to supply what he thought a defect in the Elegy, by adding after "some Cromwell guiltless." &c. the two following stanzas.

> Some lovely fair, whose unaffected charms
> Shone with attraction to herself unknown;
> Whose beauty might have blest a monarch's arms,
> And virtue cast a lustre on the throne.
>
> That humble beauty warm'd an honest heart,
> And cheer'd the labours of a faithful spouse;
> That virtue form'd for every decent part,
> The healthful offspring that adorn'd their house.

The following Alcaic fragment is so happily executed, that it might impose on the best critic as being a genuine ancient composition.

> O lachrymarum fons, tenero sacros
> Ducentium ortus ex animo: quater
> Felix! in imo qui scatentem
> Pectore te, pia Nympha, sensit.

The partial and uncandid modes of criticism adopted by Dr. Johnson, in his remarks on Gray, have given general and just offence. Particular resentment has been expressed, as might be expected, by his *Alma Mater*, the university of Cambridge. An ingenious vindication of his "Lyric Performances," by Mr. Potter, appeared in 1782, which was followed in the same year, by an able defence of "his writings" in "Remarks on Dr. Johnson's life of Gray," &c. His atrabilious mode of criticising, and style of expression, have been successfully imitated by Professor Young of Glasgow, in an ironical continuation of his "Criticism on the Poems of Gray," intitled, "A Criticism on the Elegy written in a Country Church-Yard," 8vo. 1783. Johnson has also fallen under Mr. Wakefield's severest indignation. The refutation of his strictures on Gray he thinks a necessary service to the public, without which they might operate with a malignant influence on the national taste. His censure however, is too general, and expressed with too much vehemence. Dr. Johnson's remarks, undoubtedly betray a blindness to poetic beauty, an unreasonable fastidiousness of taste, and an unbecoming illiberality of spirit, yet they are not without some foundation; particularly when he remarks that Gray's language is encumbered and harsh, and that his poetry was in a manner the effect of industry and perseverance. Johnson appears to have turned an unwilling eye on the beauties of Gray, yet he is compelled to pass a panegyric on the *Elegy written in a Country Church-Yard*, and the *Ode to Adversity*. It is certain, that no poetical reader can subscribe to the rancour and illiberality of Johnson's temper, yet all may admire his vast intuitive knowledge and ingenuity.

As an author Gray had this peculiarity, that he did not write his pieces first rudely and then correct them, but laboured every line as it arose in the train of composition; and he had a notion, not very peculiar, that he could not write but at certain times, or at happy moments; a fantastic foppery to which a man of learning and virtue should ever be superior.

FOR THE PORT FOLIO.

ORIGINAL LETTERS

FROM DR. FRANKLIN, SILAS DEAN, ARTHUR LEE, &c.

Amsterdam, October 31, 1776.

Dear Sir,

I am late in my acknowledgment of your care, in sending me the memoir, and of the receipt of your obliging letter; but not the less sincere. The truth is, I wished to communicate something worth your attention, for, though it is *dulce desipere in locis*, it will not always do. My letters from England give nothing but reports. The horizon of politics is overcast. The king, this day, dispels the cloud, or, like your friend, points its lightning. England is left totally unguarded. The ministry, bent on plundering the one people, and desolating the other, seem instruments, in the hands of Heaven, to work its downfal. If F. and S. take not advantage of the present moment, Infidelity will subscribe to a particular providence. Stocks have fallen here, since yesterday, at three o'clock. I imagine the substance of the *war denouncing speech* is known, which occasions the fall; otherwise, it would augur good news. I have to part with my servant, which keeps me here till Saturday. A letter directed for me, under cover, to Mess. Burrowes, and son, Hamburg, will make me happy. I beg you to make the proper compliments for me to Madame, and believe me, with respect and sincerity,

Your humble servant,

Wm. Carmichael.

Hamburg, November 20, 1776.

Dear Sir,

I should sooner have complied with my inclinations to you, had I not hoped to have made my letter something more than mere compliment. But, if I wait until that time arrives, I must deny myself a pleasure. I found Westphalia, its roads, its auberges, its postwaggons, and postilions, worse than even Fancy feigned, or Exaggeration, with all its bold colouring, had described. Yet, notwithstanding, I should have felt much strengthened by the journey, had I not been overset by the drowsiness of our postilion. I got a bruise by this accident, which not attending to in time, I have since felt some pain from. However, the loss of a little blood seems to have set me to rights, and I shall proceed, having, in part, settled my business here, to Berlin. I believe imprudence, together with the imprudence of the magistrates, occasioned the seizure of the vessels here. I imagine, as this was the first, so it will be the last example of such procedure; at least, I have strong assurances on this head. Business, I find, may be carried on, in spite of British influence, or electoral vicinage. I wish you would write me the particulars of Shoemaker's affairs. It might be settled in favour of the poor man. Mr. Och's being from home, I left his son's letter for him, and a card, with my address. The servant's stupidity probably prevented my deriving any advantage from it. M. Schemidlin promises me letters from Berlin. It will be a pleasure to you to know that considerable quantities of necessary articles have been shipped from hence to our country. I believe the Hamburghers think those, who have travelled through Westphalia, can never eat enough. For they cram me with whole hecatombs of flesh, fowl, and fish. I must quit the city, to preserve myself from dying the death of an alderman. They want Sancho's doctor at their tables. I am about to visit a people, whose sovereign takes as much care of the pockets of his subjects, as the aforementioned son of Esculapius did of the stomachs of his patients. Both being great enemies of *repletion*. How like you the complexion of affairs in England? I think they are coming to a crisis. My friend has promised me the creed of the opposition, in its various sects; whether they be of Paul or Silas for their apostle. You shall have it. I hope the disciples of St. John, and of the *follower* of St. John, will be of more consequence than them all. Have you heard from the latter? I hope to be perfectly restored by my intended exercise, for I find that I am never so well, as when the activity of my body corresponds with that of my mind. Were that the case, at present, I should be taking you by the hand, and assuring you of my respect, &c. However, accept the only alternative left me, my compliments to Madame, and believe me, dear sir,

Your very humble servant,

W. Carmichael.

PS. Direct to me, under cover, to Mr. James Kirkland, and let me have your news, Berlin.

(To be Continued.)

LAW INTELLIGENCE.

[We wish to attract the attention of our readers to the subsequent legal adjudication, which, recently, took place in the Circuit Court for the District of Columbia, Washington county, because the *principle* therein decided, by the two associate judges, in opposition to the opinion of the chief justice of that court, is the same, respecting which there has existed an everlasting warfare, between the political parties in the United States; we mean the *independence of the judiciary*. It is a serious and important truth, that this great fortress of civil liberty is gradually mouldering away, and those, who have most strenuously and valiantly defended it, hitherto, have, now, but a faint hope, that it may yet hold out against the rude and reiterated assaults of democratic violence. To continue the metaphor—the decision of the two associate judges, in this case, against the opinion of the chief judge, that a justice of the peace, for Washington county, in the district of Columbia, *is a judicial officer of the United States under the constitution*, may be likened to the sortie of a garrison, which repels, for a time, the invading enemy; but, such is the persevering hostility of the democrats, to an independent judiciary, that if repulsed in their attempts to seize the fortress by storm, they will resort to the usual expedient, in such cases, of undermining the works. Since the experiment of *indicting* a *judicial officer*, for a supposed misdemeanor in office, has failed, we may next look for articles of impeachment in order to procure a removal from office, and to afford one more example of the *omnipotence* of the legislature.

The defendant, in this cause, as a justice of the peace for the district of Columbia, is now recognised as a judicial officer, under the constitution, which declares that "he shall receive, for his services, a compensation, which, during his continuance in office, shall not be diminished."—So far his official independence is rescued from the fangs of greedy, and all-devouring democracy]

CIRCUIT COURT OF THE DISTRICT OF COLUMBIA, FOR WASHINGTON COUNTY, AUGUST 2, 1803.

THE UNITED STATES, v. BENJAMIN MORE.

The defendant was indicted for charging and receiving fees for the performance of certain duties as a justice of the peace, for Washington county, in the district of Columbia. At the last term, the defendant, More, confessed the receipt of fees, as charged in the indictment, but demurred to the indictment, on the ground, that, by law, he was entitled to them.

To form a correct view of the case, the following acts of congress, respecting the district of Columbia, must be adverted to:

By the act of Feb. 27, 1801, C. 86. Sec. 1. it is declared, that the laws of Maryland, as they now exist, shall be and continue in force, in that part of the said district, which was ceded, by that state, to the United States.

By Sec. 11, of the same act, it is enacted, 'That there be appointed, in and for each of the said counties, (meaning Alexandria county, formerly part of Virginia, and Washington county, part of Maryland), such numbers of discreet persons to be *justices of the peace*, as the president of the United States shall, from time to time, think expedient, *to continue in office five years*; and such justices, having taken an oath for the faithful and impartial discharge of the duties of the office, *shall, in all matters, civil and criminal, and in whatever relates to the conservation of the peace*, have all the powers vested in, and shall perform all the duties required of, justices of the peace, as individual magistrates, by the laws herein before continued in force, in these parts of the district, for which they shall have been respectively appointed; and they shall have cognizance in personal demands to the value of twenty dollars, exclusive of costs; which sum they shall not exceed, any law to the contrary, notwithstanding. And they shall be entitled to receive for their services the fees allowed for like services by the laws herein before adopted and continued in the *eastern* part of the said district.'

By the act of May 3, 1802, chap. 52. Sec. 8—'So much of the act of February 27, 1801, as provides for the compensation to certain justices of the peace, thereby created, and for compensation to jurors, attending the within said district, except so much thereof as relates to their travelling expenses, attending the same, shall be, and is, hereby, repealed.'

The eastern part of the said district is that part of it which formerly composed a part of Maryland, and is now called Washington county. In Maryland, the justices of the peace take cognizance of small debts, not exceeding 10l. and receive certain fees for their services.

The main point of defence taken in the present case, and on which the decision of the court turned, was—'That the defendant, as justice of the peace, having cognizance in personal demands to the value of twenty dollars, and being appointed to that office by the president of the U. States, under an act of congress, must be considered as a judicial officer of the United States; and, consequently, that, by art. 3. sec. 1. of the constitution of the United States, the act of May 3, 1802, chap. 52. sec. 8. which repeals so much of the act of February 27, 1801, chap. 86. sec. 8. as gives a compensation for their services, to justices of the peace, in said district, is unconstitutional and void, it being provided by the said art. 3. sec. 1. of the constitution, that the judges, both of the supreme and inferior courts shall hold their offices during good behaviour; and shall, at stated times, receive, for their services, a compensation, which shall not be diminished during their continuance in office.

The case was argued yesterday, by Mason district attorney, for the United States—and by the defendant himself, and Woodward and Caldwell for him—and on this day,

The court gave judgment in favour of the defendant. Cranch and Marshall justices were of opinion, (against the opinion of Kilty chief judge) that a justice of the peace for Washington county, in the district of Columbia, is a judicial officer of the United States under the constitution—and that, therefore, the act of Congress of May 23, 1802, chap. 52, so far as the same relates to the abolition of the fees of justices of the peace is unconstitutional and void.

LITERARY INTELLIGENCE.

Proposals have been issued, in this City, for publishing by subscription, Lectures on Natural Philosophy, by the Reverend John Ewing, D. D

lats provost of the University of Pennsylvania, and senior pastor of the first presbyterian Congregation in Philadelphia.

This work will form one large octavo volume, will be printed on a fine paper, with a good type, and be delivered to subscribers, at two dollars and fifty cents, in boards.

It will be accompanied with engravings of the figures necessary to elucidate those portions of philosophy which require explanation, and with the assistance of which, the reader will be enabled to make his own experiments.

It is proposed to commence the publication in August next, or sooner, if five hundred subscribers be obtained.

An allowance of twenty per cent. will be made to those who buy to sell again.

Those who procure ten subscribers, and become answerable for their subscriptions, shall receive one copy gratis.

The names of the subscribers shall be annexed to the work.

The Proprietors beg permission to accompany their proposals with a few observations. It is not their province, nor is it necessary, to press the utility of the Science of Natural Philosophy. Its study has not been confined to seminaries of learning, but in all ages has been the employment of the learned, and the recreation of the inquisitive and the desultory reader. Every walk of life is cheered by its rays, and the labour of every pursuit is lessened by its aid. It is the handmaid of the purest piety. A writer, to whose knowledge of human nature, confidence is due, has said, not rashly,

"An undevout astronomer is mad."

Newton and his learned successors, have devoted much time and attention to render Natural Philosophy, a pleasing as well as an useful science. They have explored every recess, and illuminated the world by their researches But their writings are too voluminous, and the study of them would encroach too far upon the time of those, who do not mean to devote a life to their pursuit. With the volumes of these illustrious and learned philosophers, before him, it was the design of the Lecturer to make a judicious selection, and in compiling a system of Natural Philosophy, to blend instruction with delight. It was his chief desire to convey his instructions in terms, at once pleasing and perspicuous, and it will not be hazarding too much to say, that in his mode of instruction he has not been excelled by any teacher in America. They who have listened to these Lectures, we trust, will sanction this assertion. They employed many years of the life of their author, when his understanding was in its vigour, and it will not be considered an objection to them, that previous to their composition, he had been near thirty years a teacher. They have been revised and corrected with care and attention, from time to time, by their author, as new discoveries, or new solutions in philosophy were obtained, and they are now offered in their perfect form to the patronage of his countrymen.

The proprietors will only add the following recommendation of the work, by the gentlemen who compose the faculty of the University of Pennsylvania.

University of Pennsylvania, March 1, 1803.

Having learned, with much pleasure, that the Course of Lectures on Natural Philosophy, formerly delivered in this seminary, by our late learned and worthy provost, the Rev. Dr. John Ewing, is, at present, preparing for the press, and will shortly be published; and having had peculiar opportunities of being acquainted with his character, as an able mathematician and profound philosopher; we have no hesitation in recommending the work, as one, which will do honour to his memory, and contribute, in no small degree, to the advancement of that sublime and important science, which it is intended to explain and illustrate.

John Andrews, D. D.
Vice Provost of the University of Pennsylvania.
James Davidson,
Professor of Humanity.
Robert Patterson,
Professor of Mathematics.
William Rogers, D. D.
Professor of English and Belles Lettres.

Connected with these Lectures on Natural Philosophy, the proprietors propose to publish two volumes of Sermons, by the same author, on the most evanglical and instructive subjects. To those, who have heard the author preach, and especially to those who sat statedly under his ministry, any recommendation of these would be unnecessary: But for the information of those who have never heard him, and who are ignorant of the characteristical traits of his discourses, the following sentences are extracted from the discourse of his colleague on his death—"His own investigation confirmed him in the belief of the doctrines of grace. These were the doctrines which he preached, and which he endeavoured to impress upon the hearts of his people. His discourses were written with accuracy; the truths which they contained were well examined and digested, before he ventured to offer them to the public. He thought it a duty which he owed to his God, and to his hearers, to think before he spoke, to study and ponder in private, before he rose before an audience, as the messenger from heaven. To God he looked for aid and support; but he looked for his assistance in his study before he trusted to Divine impulse in the secred desk.

"Perhaps it may be said with truth, that no minister in this country has adopted a better method of instruction, than that which distinguished his discourses. and perhaps it may be said, that none more fully illustrated, and confirmed, by plain and decisive reasoning, the passage which he chose for discussion."

These volumes will be printed on the same paper, and size, and with the same type, as the Lectures on Natural Philosophy, and be delivered to subscribers at two dollars and fifty cents per volume, in boards. The other conditions the same as the foregoing.

In addition to the above copious and honorable testimonies to the Genius and science of the late Dr. Ewing, the writer can only add, that he is not only convinced of the acumen of these Philosophical papers, but of their future currency both among the Tyros and the veterans of Philosophy.

☞ Subscriptions will be received at the book-stores of Messrs. Conrad and Co. Samuel F. Bradford, Thomas Dobson, Mathew Carey, William W. Woodward and William Fry. and at the office of Messrs. Bronson and Chauncey, in the city of Philadelphia; by Ezra Sargeant and Co. in New-York; by Hudson and Goodwin Hartford; by Wm. P. and L. Blake, Boston; John Dabney, Salem; G. Hill, Baltimore; W. Prichard, Richmond; and William P. Young, Charleston.

March 1, 1803.

MISCELLANEOUS PARAGRAPHS.

FOR THE PORT FOLIO.

The grave and scientific Dr. Townson, has introduced the following anecdote in his travels through Hungary. The waters here are chalybeate and aërated. They are taken inwardly, and used warm for bathing. But, as in most watering places, it is the cheerful company, exercise, &c. which make the most cures. I made an acquaintance with a very handsome young lady, of nineteen, who had lately been married to an old infirm fellow, who had grand children almost as old as his wife. Finding herself ill, she was come here for the benefit of the waters, and had brought with her, for disorders under which she laboured, the ablest of physicians, a stout handsome young fellow. She gravely told me, after informing me of the state of her connubial connexion, that she had found great benefit from the waters, but must acknowledge that the *regimen* she had followed had not a little contributed towards her recovery. The only moral observation I would make on this occasion is, that old and infirm men should not marry young women, if they would not be cuckolded.

—

Dubos, a French abbot, and an esteemed writer, wrote in the year 1704, a work, entitled "The Interests of England ill understood in the present war." It is remarkable for a prediction of the future separation of the North America colonies, in case England should become masters of all that continent.

—

Donato, one of the principal revivers of sculpture, in Italy, was not insensible of his own value. It is said, that upon being beat down by a Genoese merchant, in the price of a head which the latter had bespoken, and finding him calculating its value by the worth of so many day's labour, he exclaimed "this man understands better to bargain for beans, than for statues—he shall not have my head;" and then threw it down from a balcony, on which it was placed, and broke it in pieces.

—

ORIGIN OF A POPULAR PHRASE.

The following article is extracted from the "Instructions of the King of Mazanderan, to the Prince his son," translated from the Persian, by the celebrated Mons. Galland. "A taylor of Samarcand, living near the gate that led to the burying place, had, by his shop-board, an *earthen-pot*, hanging upon a nail, into which he threw a little stone, when any corpse was carried by, and, at the end of every moon, he counted the contents in order to ascertain the number of the deceased. At length, the taylor died himself; and sometime after, a person, ignorant of this circumstance, observing his shop to be deserted, inquired the reason—oh, says a neighbour, the taylor too *has gone to pot*."

—

In Acerbi's elegant "Travels through Sweden, Finland, and Lapland," the production of an Italian of liberal curiosity, who exchanged the orange groves of his celestial climate, for all the rigours of the North, is the following curious passage. In the parish Kemi, in Finland, before the day appointed or proposed for a marriage ceremony, the young people sleep together for a whole week, but without quite undressing; and this is called *the week of the breeches*. It will, no doubt be immediately recollected by my readers, that this is an exact counterpart to the *bundling* of the Anglo Americans. If, in consequence of the familiarities that pass, during the *week of the breeches*, their love be strengthened, they marry, but if, on the other hand, their mutual affections be lessened, the marriage does not take place.

—

Robert Bloomfield, the author of the Farmers Boy, Rural Tales, &c. has been recently appointed to a handsome situation in the Seal-Office in the Temple, London.

ORIGINAL POETRY.

FOR THE PORT FOLIO.

SONNET.

To a relation, with a collection of poems in the author's hand-writing.

With courteous hand the gentle muses bear
Their choicest sweets to bless Britannia's isle;
Here drops Melpomene the tender tear,
And gay Thalia wears a graceful smile;
Where'er they tread spontaneous flowers rise,
The rose gay-flaunting, and the lily pale,
Mix'd with the rich carnation's mingling dies,
Scent the sweet grove, and deck the vernal vale.
Cull'd from these cultur'd beauties of our plains,
A blooming garland thy acceptance claims,
And oh! despise not thou the simple strains,
Which in its praise a humbler poet frames.
Ah! no, 'tis Friendship's voice, he tunes the lay,
And wipes the fault, the frequent fault, away.

HARLEY.

—

SONNET II.

To soothe the sorrows of an anxious mind,
As thro' the wood-land's waving shades I stray,
The pleasing paths of Peace where shall I find,
Where trace her steps, ye gentle Muses, say?
Does she not shun the mansions of the great,
And quit the scenes where gorgeous Grandeur reigns,
To court the shade where pensive pleasures meet,
Where Philomela pours her plaintive strains?
To mark the moon-beams trembling on the shore?
To hear the murmurs of the sighing gale?
Or the wild waterfall's responsive roar?
Yet ah! when sorrow's bitter blasts assail,
Nature's unnumber'd beauties charm no more.

HARLEY.

—

[A literary friend, who has communicated to us the following poem, assures us it is the production of a gentleman of New-Jersey, whose talents we have often admired. The poet, sensible that many a worthy old woman has been treated unkindly, and has had the evening of her life embittered, in consequence of the imputation of witchcraft, wrote the following simple tale, for the edification of those, who are disposed to see, in every solitary ancient female, a descendant of the old lady of Endor.]

MARGERY GRAY;

OR, A WITCH UNMASKED.

Why stands that old cottage so lonely and drear,
That it fills the beholder with gloom and affright?
And what is the reason that none can go near
The door of that hut, without shiv'ring, at night?

To see the old woman who lives there, alone,
One would think she could hardly do any great harm;
Why her body is shrivell'd to mere skin and bone,
And scarcely more thick than a broomstick her arm.

The cottage is small, but sufficient to hold
A fire-place, table, and dresser, and bed;
The cracks, fill'd with mud, admit scarce any cold,
And a few cedar slabs stop the leaks over head.

And it's well it's so tight—for now not a tool
Would be handled by any to mend her abode;
And tho' by the door is the best way to school,
The master and children all go the high road.

Yet once they delighted to travel that way,
And would beg for permission whene'er they went by,
To take something good to old Margery Gray—
A few links of sausage, or piece of mince pye.

She gathers old stumps in the summer for fuel,
And no one has stopp'd her as yet that I've heard,
Indeed to prevent her were foolishly cruel,
For every one wishes his fields to be clear'd.

Time was she had pine knots to last her all winter;
They serv'd her to spin and to knit by at night,
But now, not a creature would bring her a splinter,
If they knew she was dying for want of a light.

There is not the least shelter, as any can tell,
To keep from her window the snow and the hail;
And even the peach tree that grew by the well
Is dead, and its wither'd limbs sigh in the gale.

It is true that to fence her poor cow from the weather,
She took out her hatchet one bitter cold day,
And cut some pine bushes, and pil'd them together
By the side of her little coarse bundle of hay.

Her fence, by the wind and by time, is o'erthrown,
Indeed, there is hardly a rail on the place;
And the garden, with mullens and nettles o'ergrown,
Looks as dull and as cheerless as Margery's face.

But it did'nt look thus in the days of her prime—
The fence was in order, the garden was neat;
She had camomile, lavender, hysop and thyme,
And more sage than she wanted to season her meat.

And she dry'd a good deal, and the neighbours all round,
Would send to her cottage if any were ill—
She was skill'd in the nature of herbs, and they found,
That she gave her assistance with hearty good will.

It was own'd by the people who happen'd to pass,
That her room was as cleanly, as cleanly could be;
You might put on your cap, by her pewter and brass,
And her bed was as decent, as most that you'll see.

But their present condition no mortal can tell,
For none are so simple to darken her door:—
No, no, all the neighbours remember too well,
The horrible tale of the blood on the floor.

It was midnight—and cold did the bitter wind blow,
And drove in fierce eddies the snow and the hail;
When a stranger to Margery's cottage came slow—
Like a ghost he seem'd troubled—was silent and pale.

Long beat by the tempest so chill'd and so tir'd,
That his feet and his fingers he hardly could use;
To warm them a little, was all he desired—
So trifling a favour could any refuse?

The air was so piercing, that people, that night,
In the tightest of houses could scarcely keep warm;
And the neighbours came over as soon as 'twas light,
To inquire how Margery far'd in the storm.

But how did astonishment bristle their hair,
When blood they saw sprinkled profusely around;
The legs of the stranger, all mangled, were there,
But the rest of his body was not to be found.

The blood of the trav'ler was every where thrown—
On the hearth, on the floor, on the table it lay;
And to every one there it was very well known
Not a creature was with him but Margery Gray.

And none could imagine the man would admire,
If left to pursue what appear'd to him right,
The notion of leaving his legs by the fire,
And trav'ling on stumps such a terrible night.

Till that night of horror, old Margery never
Was known to discover a relish for sin;
But now she is hatching some mischief forever—
'Tis hard to give over when once we begin.

She meazles the swine; and she pesters the cattle,
She fly-blows the meat, and the harvest she blights;
In the midst of a tempest at windows she'll rattle,
And keeps her sick neighbours from sleeping at nights.

Thus, from gossip to gossip, the story goes round,
And the list of her crimes is enlarg'd every day;
But the best of the bunch may be glad if they're found,
As clear of all evil as Margery Gray.

The stranger, who stray'd to her humble abode,
Had a friend, who came with him a part of the way;
But the cold was so piercing he froze on the road—
His bones by the side of the laurel bush lay.

And the boots he had on were too good to be lost—
But to get them was far from a matter of ease;
For the leather was stiffened to horn by the frost,
So he took off the legs of his friend by the knees.

And in Margery's cottage the business of thawing
The leather and legs, did the stranger begin;
While Margery slumber'd—and, after much drawing,
Succeeded in getting the legs from within.

This object attain'd, he would carry no further
A useless incumbrance—but left them to raise
Doubt, fear, and suspicion of witchcraft and murther,
To embitter the remnant of Margery's days.

—

EPIGRAM.

THE SURGEON AND SATIRIST.

Jack often boasts his healing art,
And shakes his head at Will;
Will cries aloud, I probe the heart,
Who shews the greater skill?
But should both Jack and Will succeed,
Which neither can insure,
Their woful patients first must bleed,
Or not expect a cure.

PUBLISHED FOR THE EDITOR,
BY WILLIAM FRY,
AND PRINTED BY H. MAXWELL,
NO. 25, NORTH SECOND STREET.